REMARKS

A.   Claims 13-17, 35-39, 57-61 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses this rejection. While the following analysis is focused on the rejection of claims 13-17, this analysis applies equally to claims 35-39 and 57-61, as similar language appears in these claims. Reading claims 1, 2, and 13 together, as they are linked through dependency, Applicant submits that the subject matter regarded by Applicant as inventive is clearly pointed out and distinctly claimed:

1.   (Original) A method for providing an improved interface to a caller during the initiation of a VoIP call comprising:

placing, by the caller, a request for information regarding a party to be called;

returning a URL responsive to said request; and

displaying to said caller one or more connection options corresponding to said URL.

2.   (Original) The method of claim 1, further including the act of choosing, by said caller, at least one of said one or more connection options.

13.   (Original) The method of claim 2, wherein said one or more connection options correspond to a user's identity.

14

Applicant submits that "a user's identity" cannot mean the calling party, as this information is returned in response to a request for information **regarding a party to be called**. Furthermore, there is no requirement according to the MPEP that a limitation has to be so narrow as to preclude a broad interpretation of "a user." "A user's identity" is within the purview of "connection options," which are associated with a URL that is returned in response to a request for information regarding a party to be called.

B.   Claims 1-11, 18-20, 23-33, 40-42, 45-55, 62-64, 67-75, and 77-85 were rejected under 35 USC 102(e) as being anticipated by Morton (U.S. Patent 6,480,484). Applicant respectfully traverses this rejection, and asserts that Morton does not disclose all of the limitations of independent claims 1, 23, 45, 67, and 77. Claim 1 of the present application reads:

Claim 1 of the present application reads:

1.   A method for providing an improved interface to a caller during the initiation of a VoIP call comprising:

placing, by the caller, a request for information regarding a party to be called;

returning a URL responsive to said request; and

displaying to said caller one or more connection options corresponding to said URL.

For purposes of discussion, since the limitations of claim 1 are recited in the remaining independent claims 23, 45, 67 and 77, the following analysis is extended to arguments for those claims with respect to the 35 USC 102(e) rejection of those claims.

15

For the claimed limitation of placing, by the caller, a request for information regarding a party to be called, Examiner has cited Morton at col. 5, lines 9-10, col. 5, lines 12-15 and col. 5, lines 26-37. However, these portions of Morton, both individually and collectively, do not disclose, teach, nor otherwise suggest the claimed limitation.

Morton at col. 5, lines 9-10 reads:

At step 400, the calling party at telephone 102 and terminal initiates a call to the called party at telephone 103 and terminal 108.

Applicant submits that initiating a call is not the subject limitation. Initiating a call is not a request for information regarding a party to be called. Rather, it is simply the act of placing in motion the mechanism that connects a phone call between two parties.

Morton, at col. 5, lines 12-15 reads:

The call may be transported by either Internet/intranet 105 or telephone system 100.

This language cannot be construed as meaning the claimed limitation of requesting information regarding the party to be called. If a conventional telephone system (Morton's telephone system 100) is used, there is no way that placing such a call can be a request for information regarding a party to be called.

Morton continues: *If transported by Internet/intranet105, the call is initiated using IP telephony application 202 of terminal 106 and the IP address of the called party at terminal 108 is passed to client greeting application.*

Again, no part of this text teaches, suggests, or otherwise discloses requesting information regarding a party to be called. It is simply describing how a call is initiated.

16

Docket No.: CISCO-3701

Morton at col. 5, lines 26-37 reads:

The identifier for the called party derived in step 400 is used in step 401 to determine the

URL for the greeting data associated with the called party at terminal 108 and telephone

103. Client greeting application 203 of terminal 106 sends the IP address or telephone

number of the called party to directory server application 304 on application server 109

via Internet/intranet 105 in the form of a Lightweight Directory Access Protocol (LDAP)

query. In response to this request, directory server application 304 looks up the URL

associated with the called party's greeting data. This URL is returned to client greeting

application 203 of terminal 106 via Internet/intranet 105 in the form of an LDAP

response.

This portion of Morton does not describe a calling party placing a request for information regarding a party to be called. The "identifier for the called party derived in step 400" is a **telephone number** (col. 5 lines 16-25 describe a call initiated by using a **keypad on a telephone,** or by using a **CTI dialing application, and THE telephone number** is passed to client greeting application. **A telephone number is not a request for information regarding a party to be called.**

Rather, Morton is describing how a telephone number is used to locate a URL corresponding to a party to which a call is to be placed. This is not the same as a user placing a request for information regarding a party to be called. In Morton, the user is simply dialing a telephone number, not asking for a URL or any other information. Morton is simply describing a translation from a conventional telephone number to a computer network connection. Furthermore, this argument is supported by Morton's

17

FIG. 4, which shows step 400 as a user initiating a call to the called party as being separate from step 401, in which a request is made for greeting URL for called party from directory server. Nowhere is it shown in Morton that the caller is querying a directory server, nor any agent functioning on behalf of the caller. Examiner is reminded of MPEP section Directing Examiner's attention to MPEP 2131, the threshold issue under Section 102 is whether the Examiner has established a prima facie case for anticipation. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)". "The identical invention must be shown in as complete detail as is contained in the ...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1566 (Fed. Cir. 1989).

If the Examiner is arguing that the cited portions of Morton expressly or inherently describe a caller placing a request for information regarding the party to be called, Applicant demands evidence of such or the rejection cannot be maintained.

With respect to the claimed limitation of returning a URL responsive to said request, Morton does not teach, suggest, nor otherwise disclose such functionality. Specifically, since Morton describes a URL being returned to a client greeting application, this URL is not presented to the caller, and thus it is not returned.

CONCLUSION

18

Docket No.: CISCO-3701

Applicant has addressed all grounds for rejection and objection as stated in the Office action mailed 6/14/05, and respectfully requests that the Examiner withdraw all rejections and place this application in condition for allowance.
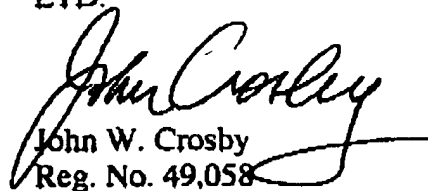
INVITATION TO TELEPHONE CONFERENCE

If any remaining issues exist, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,
SIERRA PATENT GROUP,
LTD.

Date: September 12, 2005

John W. Crosby
Reg. No. 49,058

Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, Nevada 89449
Telephone: (775) 586-9500

19